

FORM PTO-1390  
(REV. 10-2000)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

20251P

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/719485**INTERNATIONAL APPLICATION NO.  
PCT/US99/12773INTERNATIONAL FILING DATE  
June 8, 1999PRIORITY DATE CLAIMED  
June 12, 1998

TITLE OF INVENTION

CLONING AND IDENTIFICATION OF THE MOTILIN RECEPTOR

APPLICANT(S) FOR DO/EO/US

Scott D. Feighner, Arthur A. Patchett, Carina Tan, Karen McKee, Douglas MacNeil, Andrew D. Howard, Sheng-Shung Pong

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made and the US was elected by the expiration of the 19th month from the earliest claimed priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 16 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**  
 DATE OF DEPOSIT December 12 2000  
 EXPRESS MAIL NO. EL 520857913US  
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
 BEING DEPOSITED WITH THE UNITED STATES POSTAL  
 SERVICE AS EXPRESS MAIL "POST OFFICE TO  
 ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN  
 AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER  
 FOR PATENTS, WASHINGTON, D.C. 20231.  
 MAILED BY S. P. Capri  
 DATE 12/12/00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/719485</b>		INTERNATIONAL APPLICATION NO. PCT/US99/12773		ATTORNEY'S DOCKET NUMBER 20251P	
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17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$1,000.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... <b>\$860.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO..... <b>\$710.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$690.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... <b>\$100.00</b> <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS</b>		<b>PTO USE ONLY</b>	
				<b>\$690.00</b>			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(e)].				<b>\$0.00</b>			
Claims	Number Filed	Number Extra	Rate				
Total Claims	8 - 20 =	0	X <b>\$18.00</b>	<b>\$0.00</b>			
Independent Claims	2 - 3 =	0	X <b>\$80.00</b>	<b>\$0.00</b>			
Multiple dependent claim(s) (if applicable)			+ <b>\$270.00</b>	<b>\$0.00</b>			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$690.00</b>			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
<b>SUBTOTAL =</b>				<b>\$690.00</b>			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(f)].				<b>\$0.00</b>			
<b>TOTAL NATIONAL FEE =</b>				<b>\$690.00</b>			
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.				<b>\$0.00</b>			
<b>TOTAL FEES ENCLOSED =</b>				<b>\$690.00</b>			
				Amount to be refunded			
				charged			

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$690.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.


**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

MERCK & CO., INC.  
 Patent Department, RY60-30  
 P.O. Box 2000  
 126 East Lincoln Avenue  
 Rahway, New Jersey 07065-0970

DATE: December 12, 2000

PHONE #: (732) 594-1273

  
 \_\_\_\_\_  
 SIGNATURE  
 Anna L. Cocuzzo  
 \_\_\_\_\_  
 NAME  
 42,452  
 \_\_\_\_\_  
 REGISTRATION NUMBER